

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications)	WT Docket No. 02-55
in the 800 MHz Band)	
)	
New 800 MHz Band Plan for the U.S. –)	
Mexico Sharing Zone)	
)	

REPLY COMMENTS

Orange County Sheriff's Department

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The Orange County Sheriff's Department (OCSD) submits these reply comments in response to the Commission's proposed 800 MHz Band Plan for the U.S. – Mexico Sharing Zone. On behalf of the County of Orange, 34 cities and 130 partner agencies, OCSD operates facilities within the 100 km Sharing Zone impacted by the *NPRM*.¹ OCSD supports the comments filed by the City of San Diego, San Diego County Sheriff's Department and Ray Grimes, as well as those comments filed by the Border Area Licensees.²

OCSD has a significant concern that the Commission has failed to allocate a guard band in the area. Public safety continues to suffer harmful interference from cellular licensees, even in post-rebanding areas,³ and with Sprint Nextel converting its operations to wideband, there is a strong probability that harmful interference will continue.⁴ In light of interference that has been well-documented, the Commission's record is inadequate as to how adjacent and interleaved public safety and cellular operations can be maintained in the band without proper separation. The proposal to not allocate a guard band is inconsistent with the Commission's prior record and findings that 1 MHz spacing is needed in order to protect public safety from interference.⁵ OCSD agrees with the Border Area Licensees that the Commission has not examined the option

¹ In the Matter of Improving Public Safety Communications in the 800 MHz Band and New 800 MHz Band Plan for the U.S.-Mexico Sharing Zone, *Fourth Further Notice of Proposed Rule Making*, WT Docket 02-55 (August 17, 2012) (*NPRM*).

² Comments of 800 MHz Public Safety Border Area Licensees (including Los Angeles County, San Bernardino County, City of Phoenix, City of Mesa, Los Angeles Unified School District and the J. Paul Getty Trust) (*Border Area Licensees*).

³ http://abclocal.go.com/kgostory?section=news/local/east_bay&id=8780662

⁴ Petition for Reconsideration and Informal Interference Complaint Regarding AT&T Mobility and Sprint Nextel, filed by the Orange County Sheriff's Department, WT Docket No. 12-64, WT Docket No. 11-110 (July 9, 2012).

⁵ Comments of Border Area Licensees at 7-12.

of moving Sprint Nextel's operations higher in the band,⁶ which would accommodate the large number of non-ESMR incumbents in Region 5 and provide proactive interference mitigation.

OCSD has encouraged the Commission to move expeditiously so that 800 MHz reconfiguration can be completed and interference issues mitigated.⁷ Orange County is the only border impacted entity that negotiated a \$1M frequency reconfiguration agreement with Sprint Nextel for non-frequency dependent and non-duplicative implementation activities, which was approved by Sprint Nextel and a TA mediator, as well as informally by the Public Safety & Homeland Security Bureau. However, based on the comments of the Border Area Licensees as well as overly aggressive time frames that were established in the Canadian border region,⁸ OCSD supports extension of the planning and relocation deadlines. The size and complexity of public safety systems like Orange County's and the need for multiple retunes will require a longer implementation period.

In addition, the Commission should examine the in-building coverage issues raised by Ray Grimes and the San Diego County Sheriff's Department.⁹ On June 30, 2013, Sprint Nextel will be decommissioning its 800 MHz iDEN network. Sprint Nextel maintains bi-directional amplifier (BDA) systems in public places throughout Orange County, such as shopping malls, airports and other buildings, in order to provide in-building coverage for public safety and other purposes. In some cases, BDAs may not be subject to 800 MHz reconfiguration if the BDA

⁶ *Id.* at 7-8.


⁷ Letter from Robert Stoffel, Director, Communications and Technology Division, Orange County Sheriff's Department, to Ambassador Philip Verveer, U.S. Department of State, Lawrence Strickling, National Telecommunications and Information Administration, Roderick Porter, Federal Communications Commission (April 2, 2012).

⁸ Comments of Border Area Licensees at 12-13.

⁹ Comments of Ray Grimes; Comments of San Diego County Sheriff's Department at 8.

system in a particular location is decommissioned. OCSD supports the concern of San Diego County that deactivation or replacement will change the known public safety radio coverage in these venues. OCSD supports an inquiry by the Commission into this issue, and requests that Sprint Nextel provide notification to affected public safety licensees of the locations of any Sprint Nextel-owned BDAs that will be modified and work with affected licensees on coverage issues that will result upon deactivation and reconfiguration.

Respectfully submitted,
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